

STATUS OF CLAIMS

Claims 1-68 are pending in the present application. Applicants note with appreciation that the Examiner indicated claims 7-11, 13-15, 22-26, 37-41, 43-45, 52-56, 58-60 and 67-68 as containing allowable subject matter.

REMARKS

1. Information Disclosure Statement

In the Office Action, the Examiner stated that US Applications cited in pages 12-13 of the Information Disclosure Statement dated August 1, 2003 were not considered and asked to provide copies. However, no Information Disclosure Statement was submitted on August 1, 2003. In a telephonic interview on February 9, 2005, the Examiner indicated that the Information Disclosure Statement at issue was filed on June 16, 2004. Pursuant to the Examiner's request, copies of the US Applications are attached hereto. The Examiner is respectfully requested to consider them and initial a new Form-1449 attached hereto.

2. In-person Interview held on January 27, 2005

The Examiner is thanked for granting and cordially conducting an in-person interview on January 27, 2005, during which general agreement was reached (pending further consideration by the Examiner). Specifically, and in accordance with 37 CFR Section 133:

- Claims 1-68 were discussed.
- U.S. Patent 6,774,998 to Wright et al. (the "Wright patent") was discussed.

- The Examiner agreed that the Wright patent did not appear to describe the features recited in the pending claims. However, the Examiner reserved the right to review the present written response before finalizing her opinion.

As discussed during the interview, the Wright patent does not describe each and every claimed feature of the pending independent claims. For instance, claim 1 requires the acts of, among others:

(b) determining whether the current data point is an outlier
based on:

...

(b-2) whether the at least one previous data point is
an outlier; and

(c) disregarding the current data point in calculating a
feedback value of the feedback control mechanism if the current
data point is determined as an outlier.

In the Office Action, the Examiner cited Col. 11, ll. 27-35 of the Wright patent as describing the act (b-2) copied above. However, the cited portion of the Wright patent simply teaches a conventional method of using the EWMA filtering mechanism. It does not describe the act of determining whether the current data point is an outlier based on, among other things, whether at least one previous data point is also an outlier.

The Examiner then cited, Col. 8, 42-62, Col. 9, ll. 10-35, and Col. 11, ll. 9-12 of the Wright patent as describing the act (c) also copied above. None of the cited portions describes the act of “disregarding the current data point in calculating a feedback value of the feedback control mechanism if the current data point is determined as an outlier”. In particular, Col. 8, 42-62 describes a general overview of how misregistrations are corrected. Col. 9, ll. 10-35

describes a deadband in which no correction is made if an error value falls therein and describes an EWMA equation “to smooth the data” if an error value falls outside of the deadband. Finally, Col. 11, ll. 9-11 describes an outlier rejection boundary but fails describe the claimed act of “disregarding the current data point in calculating a feedback value of the feedback control mechanism if the current data point is determined as an outlier.”

Hence, claim 1 and its dependent claims are patentably distinguishable from the cited prior art. All other independent claims also are patentably distinguishable from the cited prior art for at least some of the same reasons as mentioned regarding claim 1. Applicants believe that all pending claims are allowable over the cited prior art. A notice of allowability is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees, which may be required for this Amendment, or credit any overpayment to deposit account no. 08-0219.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to deposit account no. 08-0219.

Respectfully submitted,
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